

Ronald F. Remmel (State Bar No. 87628)
 Melissa A. Dubbs (State Bar No. 163650)
 NEWTON REMMEL
 1451 Grant Road, P.O. Box 1059
 Mountain View, CA 94042
 Telephone: (650) 903-0500
 Facsimile: (650) 967-5800

Email: rremmel@newtonremmel.com
mdubbs@newtonremmel.com

Attorneys for Defendant
 FEDERAL INSURANCE COMPANY

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

LONGS DRUG STORES CALIFORNIA,
 INC.,

Plaintiff,

vs.

FEDERAL INSURANCE COMPANY, and
 DOES 1 through 50, inclusive,

Defendants.

Case No.: C03-01746 JSW ARB

**STIPULATION AND ~~PROPOSED~~
 ORDER ALLOWING FOR A RESPONSE
 TO LONGS DRUG STORES' REQUEST
 FOR SANCTIONS**

Hearing Date: August 5, 2005
 Time: 9:00 a.m.
 Courtroom: 2

In its order of January 21, 2005, the Court set a hearing on May 6, 2005, at 9:00 a.m. on the damages portion of the cross-motion of plaintiff LONGS DRUG STORES CALIFORNIA, INC. ("Longs") for summary judgment. The Court ordered that defendant FEDERAL INSURANCE COMPANY ("Federal") file its opposition brief and supporting papers no later than March 18, 2005 and that Longs file any reply brief and supporting papers no later than April 8, 2005.

1 Pursuant to the parties' stipulation filed on March 4, 2005, the hearing on the damages
2 portion of the cross-motion for summary judgment by plaintiff Longs was continued from May
3 6, 2005 to August 5, 2005. The Court further ordered that Federal file its opposition brief and
4 supporting papers no later than April 1, 2005 and Longs file its reply brief and supporting papers
5 no later than May 6, 2005.

6 In its reply brief and supporting papers filed on May 6, 2005, Longs has requested
7 sanctions against Federal. Federal believes that this request for sanctions raises a new issue and
8 requests the opportunity to address plaintiff's arguments concerning its request for sanctions.
9 Federal agrees that it will limit any response to no more than five (5) pages of points and
10 authorities, excluding any supporting documents and will file its response no later than July 15,
11 2005. Longs' does not oppose this request but, if the Court agrees, Longs requests an
12 opportunity to respond to any argument presented by Federal. In the event that Longs responds
13 to Federal's arguments, such response will be filed no later than July 22, 2005 and will be
14 limited to five (5) pages of points and authorities, excluding any supporting documents.

15 IT IS STIPULATED by and between the parties through their respective attorneys of
16 record that there is good cause for the Court to permit responses on the issue of whether
17 sanctions should be imposed upon Federal, that Federal will file its response and supporting
18 papers no later than July 15, 2005, that Longs shall file any response no later than July 22, 2005,
19 and that the parties will be limited to five (5) pages of points and authorities, excluding any
20 supporting documents.

21 Respectfully submitted,

22 Dated: July 7, 2005

FILICE BROWN EASSA & McLEOD, LLP

23
24 By: 

Robert D. Eassa

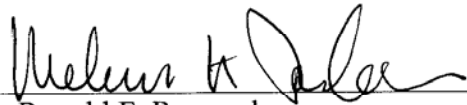
Paul R. Johnson

Attorneys for Plaintiff LONGS DRUG
STORES CALIFORNIA, INC.

1 Dated: July 7, 2005

NEWTON REMMEL

2
3 By:



Ronald F. Remmel

Melissa A. Dubbs

Attorneys for Defendant FEDERAL
INSURANCE COMPANY

4
5
6
7
8 **ORDER**

9 GOOD CAUSE APPEARING, IT IS ORDERED that with respect to Longs' request for
10 sanctions as argued in its reply brief:

- 11 1. Federal shall file a response and supporting papers no later than July 15, 2005;
12 2. Longs shall file any response no later than July 22, 2005; and
13 3. Both parties will be limited to no more than five (5) pages of points and
14 authorities, excluding any supporting documents.

15
16 Dated: July 8, 2005

/s/ Jeffrey S. White

The Honorable Jeffrey S. White
United States District Judge